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Chair: Mr. Iwasawa

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The meeting was called to order at 10.05 a.m.

Consideration of reports submitted by States parties under article 40 of the Covenant (*continued*)

Seventh periodic report of El Salvador (*continued*) (CCPR/C/SLV/7; CCPR/C/SLV/QPR/7)

1. *At the invitation of the Chair, the delegation of El Salvador took places at the Committee table.*

2. **The Chair** invited the delegation to continue replying to the questions raised by Committee members at the previous meeting.

3. **Ms. Martínez** (El Salvador) said that since the General Amnesty Act had been declared unconstitutional, steps had been taken to investigate and provide reparation for the serious human rights violations that had occurred during the internal armed conflict. The Attorney General's Office had established a special unit, comprising a coordinator and three prosecutors, to investigate such cases. The unit had its own budget and workplan and was supported by the Office of the United Nations High Commissioner for Human Rights (OHCHR) Regional Office for Central America.

4. A total of 139 cases of violations were under investigation, including a number of cases that had been reopened following the ruling on the unconstitutionality of the General Amnesty Act. Reparation had been provided to the victims of the massacre of El Mozote, pursuant to the relevant judgment of the Inter-American Court of Human Rights. The Government had gone beyond the requirements of that judgment by adopting a gender-sensitive approach to reparation and producing a video and a book to commemorate the women victims of the massacre.

5. The reparations programme for victims of violations that had occurred during the internal armed conflict included rehabilitation, compensation and guarantees of non-repetition. Regarding the national commission that had been set up in 2010 to trace children who had been subjected to enforced disappearance during the conflict, as at December 2017, a total of 307 cases had been registered, of which 236 had been investigated and 89 had been resolved; 33 children had been reunited with their families and 30 investigations had provided confirmation of death. In 2017, the national commission responsible for tracing adults who had disappeared during the conflict had been established and its members appointed, with the participation of civil society.

6. The budget of the Office of the Human Rights Advocate had been cut because of a decrease in tax revenue. The alleged theft of computers from the Office had been investigated and an individual would be arrested and possibly charged in relation thereto in the near future. The President had ordered the implementation of the measures recommended by the Inter-American Court of Human Rights in that regard.

7. Data on indigenous persons and persons of African descent would be gathered in the 2020 population census and used to draw up policies to support those groups.

8. **Ms. Guillén** (El Salvador) said that legislation on issues relating to women, children and trafficking had been brought into line with the Covenant. The provisions of the Covenant were increasingly being invoked by lawyers and judges. Human rights training was provided to members of the Attorney General's Office, the National Council of the Judiciary, the Office of the Human Rights Advocate, the National Civil Police and the armed forces. Steps were being taken to involve civil society in the treaty body reporting process and to review the situation with respect to instruments that had not yet been ratified by El Salvador, such as the International Convention for the Protection of All Persons from Enforced Disappearance.

9. **Mr. Shany** said that the Committee's questions regarding involuntary placement in psychiatric hospitals and the budget for the implementation of the National Policy on Trafficking in Persons had not been answered.

10. He would furthermore welcome disaggregated data on the number of persons in pretrial detention, as well as information on the time limits that were applicable to pretrial

detention, including detention based on an arrest warrant and detention authorized by the judicial authorities, and the impact of the Counter-Terrorism Act on those time limits. In the light of reports that the time limit of 72 hours for initial detention was not always respected, he wondered whether the State party could confirm those reports and whether it would consider reducing the time limit for initial detention to 48 hours. In 2013, the Working Group on Arbitrary Detention had reported that 970 detainees had been held for longer than the maximum period permitted by law. He would like to know whether that figure was accurate and if so, what measures had been taken to address the problem.

11. It would be useful to know what steps were being taken to reduce the number of pretrial detainees, who accounted for over 30 per cent of persons deprived of their liberty, and why police jails continued to be so widely used, despite criticism from the Constitutional Chamber of the Supreme Court. It would also be interesting to learn what steps were being taken to reduce overcrowding of detention facilities, to ensure the separation of accused and convicted detainees and to protect minors in pretrial detention, and whether the State party agreed that overcrowding was exacerbated by the tendency of judges and prosecutors to recharacterize offences as terrorist offences in order to limit bail options.

12. It was unclear whether the time frames for detention in the Centre for the Comprehensive Care of Migrants were applicable to all migrants, including asylum seekers, and what specific stage had been reached in the adoption of the bill on migration and aliens. Concerns had been raised as to whether the Centre, which had been designed to hold irregular migrants prior to their expulsion, was a suitable facility for the accommodation of asylum seekers. He would like to know whether asylum seekers and irregular migrants were held together at the Centre; what action had been taken in response to the advisory opinion of the Inter-American Court of Human Rights on the rights of children in the context of migration; what judicial safeguards were available to persons in immigration detention; and whether the need to detain such persons could be reviewed proprio motu.

13. Noting that article 38 of the Child and Adolescent Protection Act and article 215 of the Family Code could be interpreted as permitting corporal punishment, he said that he wished to know whether the State party would consider reviewing the compatibility of those articles with its international obligations.

14. The Committee was concerned by the prevalence of sexual and marital relations between adolescent girls and older men and would like to know whether the State party had considered establishing an age of consent for sexual intercourse.

15. Lastly, it would be useful if the State party could provide updated statistics on child migrants to supplement those provided in paragraphs 227 and 228 of its report; clarification as to whether support was provided only to Salvadoran child migrants or also to non-Salvadoran child migrants travelling through El Salvador; information on measures taken in response to the recent changes in the immigration policy of the United States of America; and details of any cooperation with the United States authorities to protect Salvadoran child migrants in the United States from abuse and exploitation.

16. **Mr. Ben Achour** said that the Committee had received reports that lawyers, especially women lawyers, who visited detainees were subjected to intrusive and humiliating searches when entering or leaving detention centres. He would like to know what steps would be taken to address the problem and how complaints about such incidents could be filed.

17. It would be useful to know what stage had been reached in the construction of the new juvenile detention centre, mentioned in paragraph 149 of the State party's report. The Committee was concerned about prison overcrowding, which had reached 346 per cent in 2016, and the conditions of detention in prisons, which remained extremely poor despite the State party's efforts to improve them.

18. Suicide and murder rates inside prisons were soaring, and prisoners were often involved in arms and drugs trafficking, sometimes with the connivance of prison staff. Those problems had been recognized by the Constitutional Chamber of the Supreme Court and by the Legislative Assembly which, in April 2016, had unanimously approved a raft of

security measures to crack down on gang-related activities inside prisons. In that context, he wished to know if the Government was considering any short- or long-term policies to improve conditions inside places of deprivation of liberty. He was concerned that the wording of articles 345 and 348 of the Criminal Code and of the Counter-Terrorism Act might give rise to overly broad interpretations on the part of the administrative authorities and the judiciary and open the way to violations of articles 19 and 21 of the Covenant.

19. **Mr. de Frouville** said that he would appreciate more details about women who had been imprisoned for abortion, including their number and social background and the specific charges brought against them. He would also like to know whether any action had been taken on the Committee's 2010 recommendations to suspend the prosecution of women for the offence of abortion and to open a national dialogue on the rights of women to sexual and reproductive health.

20. He wished to know if there were any plans to introduce legislation to codify a 2014 Supreme Court ruling, which had laid the foundations for the National Council of the Judiciary to select candidates for the office of judge of the Supreme Court in a transparent, documented and reasoned manner. He hoped the delegation could provide more information about how the Judicial Investigation Department of the Supreme Court was formed and how it pursued disciplinary proceedings against judicial officials. Would it not be more appropriate for such a body to be entirely independent? His concerns regarding that Department's independence were shared by the Special Rapporteur on the independence of judges and lawyers, who had, moreover, drawn attention to the fact that disciplinary proceedings against judges and magistrates were not fully in compliance with the Basic Principles on the Independence of the Judiciary.

21. Although the State party had taken serious steps towards eliminating child labour, the goal of eradicating the worst forms of child labour by 2015 had not been achieved. In fact, in 2016, the Special Rapporteur on contemporary forms of slavery had noted that the worst forms of child labour persisted in several contexts, including street begging, fisheries, domestic work and agriculture. In that context, he wished to know if a new deadline had been set. It would also be useful to know what measures were being taken to eliminate all forms of child labour by 2020 and which State institutions were involved in those efforts. He wished to commend the State party for having responded to a recommendation made by the Committee on the Rights of the Child by drawing up a list of dangerous activities in which young persons could not engage. He hoped the delegation could explain how that provision was being implemented and provide a written copy of the list. He wished to know if there were any plans to improve the system of birth registration, which the authorities had acknowledged was far from perfect, and to extend it to the entire national territory. Did those plans include the removal of registration costs and of fines for non-registration?

22. Mechanisms guaranteeing the prior, free and informed consent of indigenous peoples on measures that affected them should be extended to the national level. He understood that some indigenous families had been granted property deeds on the basis of existing laws and wished to know if the State had plans to introduce specific legislation recognizing the collective property rights of indigenous peoples. Were measures envisaged to facilitate the access of indigenous peoples to decision-making positions, not only regarding issues affecting them as a community, but also at the national level?

23. **Ms. Cleveland** said that she would like to know whether provisions to tackle hate crimes contained in articles 129 and 155 of the Criminal Code had ever been used to prosecute offenders and, if so, with what result. She would further like to know whether there were special measures in place to protect lesbian, gay, bisexual, transgender and intersex persons, who were often the victims of such crimes. She wished to commend the State party on the steps it had taken to reduce maternal mortality but she would appreciate more detailed information about the causes of the phenomenon and about the number of cases in which it was due to unsafe abortions. According to civil society organizations, as many as 57 per cent of women who committed suicide were pregnant, a concern that had recently been echoed by the Special Rapporteur on extrajudicial, summary or arbitrary executions. Information about any measures being taken in that regard would be appreciated. The Committee would also welcome information on proposed amendments to

legislation on refugee status and international protection, specifically, when they were due to be approved and to what extent they conformed to international standards.

24. In 2015, El Salvador had had the highest murder rate in the world and, although significant and successful efforts had been made to reduce it, the Committee remained concerned about the level of violence in the country, particularly gang-related violence, and its effect on the civilian population. She recognized that the Safe El Salvador Plan had helped to combat gang violence, and she would be interested to know if it also envisaged "soft" measures such as rehabilitation programmes, plans to combat youth unemployment and investment in public parks and sports facilities.

25. Although the law banning *maras* was rarely applied, with prosecutors preferring to use general criminal legislation, the Committee was concerned that it might nonetheless have a stigmatizing effect on gang members and impact negatively on due process and other fundamental rights. Information about the safeguards in place to prevent that from happening would be appreciated, as would the delegation's comments on the recent claim by the Special Rapporteur on extrajudicial, summary or arbitrary executions that the police's operating culture and its lack of resources placed significant limits on its capacity to deal with gang-related crimes. She would be interested to hear more about the measures contained in the Safe El Salvador Plan to protect persons who risked or had suffered internal displacement as a result of violence and about any plans to create a national register of internally displaced persons.

26. It was important that society should be made aware of the State's obligations under the Covenant and of the recommendations emerging from its dialogue with the Committee, particularly those designated for follow-up. In that regard, she wished to know more about the mechanisms for making periodic reports submitted to United Nations treaty bodies more widely known among the public, particularly in rural areas and among indigenous and minority communities. She would also appreciate further details about plans to adopt a procedure for the effective participation of civil society in the preparation of reports.

27. **Mr. Santos Pais** said that various international organizations considered Central America to be one of the most dangerous areas in the world for human rights defenders. According to information available to the Committee, El Salvador did not recognize the right of individuals or organizations to defend human or environmental rights, meaning that persons and groups who did so often faced harassment, intimidation and threats. In that context, he wished to know if there were any plans to introduce legislation to protect human rights defenders, in line with the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms. It would be appreciated if the delegation could provide more details about a recent amendment to article 30 of the Criminal Code, which allegedly recognized an aggravating circumstance if a crime was "motivated by the victim's work in the promotion and protection of human rights".

28. He was concerned that the 2006 Counter-Terrorism Act might be used to criminalize social protest in defence of human rights. That concern also applied to articles 331 and 348 of the Criminal Code, which provided that persons charged with public order offences had to be held in provisional detention and which envisaged no alternative to such detention. He therefore wondered whether there were any plans to amend the Criminal Code and the Counter-Terrorism Act. He would be interested to know how many complaints of human rights violations had been lodged over the previous three years by human rights defenders, journalists, environmentalists and civil society organizations, and how many had been investigated and successfully prosecuted by the Office of the Attorney General. Statistics on the number of human rights defenders who had lost their lives between 2015 and 2017 would also be appreciated.

29. He would be grateful if the delegation could provide statistics, disaggregated by gender, on the numbers of minors in conflict with the law currently being held in the country's four Social Inclusion Centres; moreover, he would like to know whether those Centres were monitored by an independent body. He would also be interested to know how many adolescents held there had been served by the framework programme for juvenile offenders run by the Salvadoran Institute for Comprehensive Child and Adolescent

Development. Were minors in conflict with the law also held in regular prisons and, if so, were they kept separate from adult inmates? Did they benefit from the same framework programme as those held in the Social Inclusion Centres? The Committee would like to know if the Government had any policies to combat violence and delinquency among young people, particularly in the context of gang activities, and whether such policies contemplated alternatives to the institutionalization of offenders. It would be useful to know how many children had died in detention over the course of the previous five years.

The meeting was suspended at 11.20 a.m. and resumed at 11.45 a.m.

30. **Mr. Ramírez Landaverde** (El Salvador) said that the work of the various institutions involved in implementing the National Policy on Trafficking in Persons, including the specialized units of the Public Legal Service, was covered by the regular budgets of those institutions rather than by a separate budget allocation. That said, for the past two years, specific funding of around US$ 1 million had been allocated for the provision of comprehensive victim support, one of the core components of the Policy. It was hoped that the bill on migration, which was at the final stage of reading in the Legislative Assembly, would be adopted shortly. Regarding the offence of abortion, it was difficult to ascertain how many women had been convicted and imprisoned for that offence, since, in some cases, they had been indicted for aggravated homicide. However, the Ministry of Justice and Public Security was currently considering applications to commute sentences in eight cases. Of those, four had been sent to the Supreme Court of Justice for a decision, while the remaining four were being examined by the Criminological Council. So far, two cases had been favourably resolved, with the release of Teodora del Carmen Vásquez, in February 2018, and Maira Verónica Figueroa Marroquín, who had been freed only the previous day.

31. The maximum period allowed for administrative detention was 72 hours, without exception; in fact, exceeding that time period would constitute illegal detention and render the entire proceeding void. There were no immediate plans to reduce the maximum period of administrative detention from 72 hours to 48 hours. According to the latest data, there were just over 39,000 persons in places of deprivation of liberty, of which some 12,000 persons were being held in pretrial detention. A number of measures were being taken to reduce reliance on pretrial detention, including the establishment of an electronic tagging system, which had been launched in 2017 at a cost of US$ 4.5 million. During the first phase, around 2,800 electronic bracelets had been made available to the courts for prison supervision to allow for the conditional release of detained persons. The ultimate aim was to roll out the project to all municipal and examining magistrates in order to foster the use of electronic tagging as an alternative to pretrial detention and to imprisonment in certain cases, thus helping to reduce prison overcrowding.

32. Significant progress had been made to establish non-intrusive controls and checks for persons, including lawyers and public defenders, when entering and leaving detention centres. For example, 17 full-body scanners had been acquired, at a cost of US$ 3.5 million; 15 of them had already been installed in the country's main prisons. Entry procedures and protocols were being drawn up, taking into account the views and recommendations of various lawyers' associations, the Public Legal Service and the Attorney General's Office, to prevent the use of intrusive frisk searches. Technology would, instead, be the preferred means of searching and monitoring all persons, objects and packages entering places of deprivation of liberty. Those measures had been accompanied by a purge of prison security staff, a number of whom had been dismissed for disciplinary reasons, and the recruitment of 600 newly trained prison security officers, 24 per cent of whom were women. The goal was to ensure that only women security personnel conducted searches of women. While there had been no recorded complaints from public defenders or other persons alleging improper checks in respect of their documentation, any complaints in that regard would be promptly addressed.

33. In the light of the 2016 decision of the Constitutional Chamber of the Supreme Court, which had found the conditions of overcrowding in prisons to be unconstitutional, the Government had made reducing overcrowding a priority and had invested US$ 58 million to that end. Plans to improve prison conditions and increase capacity had come to fruition in 2017. Five major prison infrastructure projects had been completed, creating

more than 8,000 extra places and reducing the rate of prison overcrowding from 373 per cent to 210 per cent. The momentum was set to continue in 2018 with the completion of four further projects — including one at the country's largest prison, La Esperanza — creating a further 19,000 new places and reducing the rate of overcrowding to a projected 154 per cent. That would represent a major achievement, since, for the first time in decades, the overcrowding rate in El Salvador would fall below the regional average of 159 per cent. Low-security places of detention for persons convicted of less serious crimes were also being built, enabling detainees who did not pose a threat to society to be transferred from medium- and high-security prisons, thus further reducing overcrowding. Other measures included offering convicted prisoners the chance to commute their sentences through work in the community. Concerted efforts had also been made to reduce corruption and illegal items in prisons. For example, in 2016, more than 1,700 mobile phones had been seized, whereas, in 2017, the number had been fewer than 200.

34. The Government had adopted a new approach to tackling the problem of violence in El Salvador. It had, for example, held extensive consultations with civil society, on the basis of which it had established the National Council for Citizen Security and Coexistence and created the Safe El Salvador Plan. Under that Plan, the repressive approach long favoured by successive governments had been replaced with a more comprehensive vision comprising not only measures of control and repression but also initiatives relating to prevention, rehabilitation and victim support. The Plan included measures to improve the education system and to introduce prevention programmes. Indeed, over the past two years, more than 20,000 young persons, many of whom had left school owing to violence, had returned to school. Other related activities included supporting entrepreneurship among young people and vulnerable groups through seed capital and training.

35. Lastly, the results of a study on internally displaced persons, undertaken with the support of the United Nations High Commissioner for Refugees and the participation of government agencies and academic institutions, including the Latin American Faculty of Social Science, had helped to identify the causes of internal displacement, highlight the areas and populations affected and make relevant recommendations. On that basis, the Government had been able to devise appropriate actions and strategies.

36. **Mr. Robles Ticas** (El Salvador) said that, with the support of the regional government of the Basque Country in Spain, the country had dispensed with outdated approaches to mental health care. Instead of having a single psychiatric hospital, there were now 16 hospitals with mental health units, not to mention primary care centres and outpatient clinics equipped to treat patients with mental health conditions. The overriding objective was to provide appropriate treatment to speed recovery and enable patients to return home as quickly as possible. Crisis care units had also been established to prevent prolonged stays in hospital.

37. The primary causes of maternal mortality in El Salvador were hypertensive disorders associated with pregnancy, sepsis and certain chronic illnesses. The suicide rate among pregnant women had been reduced significantly from around five such deaths a year to just one.

38. Referring to paragraph 211 of his country's report, he said that the Child and Adolescent Protection Act provided for special protection for child and adolescent workers and the elimination of child labour. A survey had revealed that, in 2016, around 130,000 children and adolescents aged between 5 and 17 years old were in child labour; a large proportion of them lived in rural areas. The Government remained committed to eradicating child labour and had taken numerous steps to eliminate the practice, including the establishment of a road map, the development of a ministerial agreement and the adoption of an inter-agency protocol. The Legislative Assembly had also discussed the possible ratification of the International Labour Organization (ILO) Domestic Workers Convention, 2011 (No. 189), with a view to preventing child domestic labour.

39. Efforts had been made to promote alternative sentences for adolescents in conflict with the law. Some 13,000 young persons between 12 and 18 years of age had appeared before the juvenile criminal courts between 2012 and 2016; nearly 30 per cent had received alternative sentences. In September 2017, the Legislative Assembly had taken steps to

strengthen the juvenile justice system and bolster the protection afforded to young persons. Numerous programmes and support centres had also been set up to facilitate the reinsertion of young offenders into society upon their release. Staff working at the support centres received comprehensive human rights and child protection training.

40. **Ms. Argueta Martínez** (El Salvador) said that the Government had launched several national programmes to identify vulnerable girls and prevent their recruitment by gangs. Efforts had also been made to provide comprehensive sexual and reproductive health education, reduce the rate of early pregnancy and address sexual violence among adolescents.

41. **Ms. Rosa** (El Salvador) said that the Government took a human rights approach to migration and had set up a dedicated support centre for migrants and asylum seekers arriving in the country. It had also worked in close cooperation with the International Organization for Migration and the Office of the United Nations High Commissioner for Refugees to develop appropriate legislation aimed at upholding the rights of those groups and limiting the time they spent in arrival processing facilities.

42. An interdisciplinary working group had been established to tackle the root causes of the emigration of Salvadoran citizens and several national awareness-raising campaigns had been launched to alert the general public, particularly children, to the dangers posed by irregular migration and human trafficking networks. One of the main pull factors, however, was the desire for reunification with other family members, many of whom had migrated to the United States of America. A national programme had therefore been launched to promote the orderly return of Salvadoran nationals living abroad and facilitate their reintegration into family and community life.

43. Pursuant to the advisory opinion of the Inter-American Court of Human Rights on the rights of children in the context of migration, special attention had been paid to the situation of accompanied and unaccompanied child migrants, notably since the migration crisis of 2014. In that context, it was important to note that national child protection and welfare regulations applied to all children, regardless of their nationality.

44. Despite the fact that El Salvador received a relatively low number of asylum seekers, persons seeking asylum had access to a wide variety of services to help them integrate successfully into society. Appropriate measures had also been taken to provide assistance to migrants transiting through the country.

45. Registration and data-collection systems had been introduced to track and analyse migration trends. In recent years, there had been a significant decrease in irregular migration — a hugely positive trend.

46. **Ms. Guillén** (El Salvador) said that efforts had been made to refine the appointment process for judges. The Legislative Assembly was responsible for reviewing the shortlist submitted to it by the Salvadoran Federation of Bar Associations and the National Council of the Judiciary and deciding which candidate to appoint. It took account of the views of civil society during its deliberations and documented its selection process in a clear and transparent manner. As for performance evaluation, the Judicial Investigation Department of the Supreme Court was in charge of investigating complaints against judges and magistrates and instigating disciplinary procedures where applicable.

47. In regard to questions regarding the definition of terrorism and the proportionality of measures aimed at combating the phenomenon, it should be noted that the Special Anti-Terrorism Act had been subject to judicial review by the Constitutional Chamber in August 2015. A subsequent ruling by the Constitutional Court on a case brought under the Act had clearly defined what constituted a terrorist group or terrorist offence.

48. Pursuant to Human Rights Council resolution 31/32 on protecting human rights defenders addressing economic, social and cultural rights, the Government placed no restrictions on the work of human rights defenders and had amended article 30 of the Criminal Code to make attacks on such persons an aggravating circumstance. It had also established specific protection measures for human rights defenders under the Special Act on the Protection of Victims and Witnesses. The Government remained committed to engaging with civil society, including human rights defenders, and would seek their views

on all aspects of the implementation of the Covenant and the concluding observations of the Committee.

49. **Ms. Cleveland** asked whether the State party intended to put an end to the application of extraordinary measures in prisons. She said she also wished to know whether it would take effective action to prevent, investigate and punish human rights abuses and violations committed by law enforcement officials and repeal article 350 of the Code of Criminal Procedure that provided for the Justice of the Peace to dismiss charges of misconduct and violence against police and military officers.

50. **Mr. Shany** said that he would like clarification regarding the time limit for pretrial detention. He also wished to know more about the rights of appeal of persons with psychosocial and intellectual disabilities detained in the national psychiatric hospital. Lastly, he requested further information about the practice of forced sterilization of persons with disabilities deprived of their legal capacity, including clarification of the role played by their legal representatives and data on the number of cases reported each year.

51. **Mr. de Frouville** said that he would appreciate an answer to his questions concerning the number of women tried, convicted and imprisoned for the offence of abortion; the appointment process for judges and the composition of the body responsible for approving nominations; the mechanisms in place to obtain the prior, free and informed consent of indigenous peoples for legislative or administrative measures affecting their communities; and the steps taken to ensure the registration of all births in the country.

52. **Mr. Ramírez Landaverde** (El Salvador) said that additional security checks for visitors and other extraordinary measures had been introduced to improve security and eliminate criminality within the prison system. The Government had adopted the measures as a response to the emergence of a network of persons posing as lawyers who had been passing messages between prisoners and criminal gangs. The measures were reviewed regularly and placed no restrictions on the rights of detainees to counsel and medical services. The option of confining prisoners to their cells for 24 hours had not yet been applied.

53. The Code of Criminal Procedure set a 24-month limit for pretrial detention, after which time the individual concerned must be released immediately. Persons found guilty of crimes under the Special Anti-Terrorism Act were not eligible for alternative sentences. The Justice of the Peace had the ability to dismiss charges against police officers and military agents serving public security functions if there was sufficient proof that the officer in question had acted in self-defence or in the fulfilment of his or her legal duty. The police officer or military agent involved must send a report to the Justice of Peace who would consider the report in conjunction with other evidence.

54. **Ms. Guillén** (El Salvador) said that her delegation had taken note of the Committee's questions and recommendations and would endeavour to submit any outstanding replies within 48 hours.

55. **The Chair** thanked the delegation for its willingness to engage in a constructive dialogue with the Committee and for its candid replies to the questions posed by Committee members.

The meeting rose at 1 p.m.